

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FINJAN LLC,
 Plaintiff,

v.

SONICWALL, INC.,
 Defendant.

Case No. 17-cv-04467-BLF

**OMNIBUS ORDER RE: SEALING
 MOTIONS AT ECF 299, 314, 331**

Before the Court are administrative motions filed by Plaintiff Finjan, Inc. (“Finjan”) and Defendant SonicWall, Inc. (“SonicWall”) to file under seal portions of their briefs and exhibits in connection with SonicWall’s Motion to Strike (at ECF 300). For the reasons stated below, (1) SonicWall’s Administrative Motion to File Under Seal at ECF 299 is GRANTED, (2) Finjan’s Administrative Motion to File Under Seal at ECF 314 is GRANTED, and (3) SonicWall’s Administrative Motion to File Under Seal at ECF 331 is GRANTED.

I. LEGAL STANDARD

“Historically, courts have recognized a ‘general right to inspect and copy public records and documents, including judicial records and documents.’” *Kamakana v. City & Cty. Of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 597 & n. 7 (1978)). Accordingly, when considering a sealing request, “a ‘strong presumption in favor of access’ is the starting point.” *Id.* (quoting *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003)). Parties seeking to seal judicial records relating to motions that are “more than tangentially related to the underlying cause of action” bear the burden of overcoming the presumption with “compelling reasons” that outweigh the general history of access and the public policies favoring disclosure. *Ctr. for Auto Safety v. Chrysler Grp.*, 809 F.3d 1092, 1099 (9th Cir.

2016); *Kamakana*, 447 F.3d at 1178–79.

However, “while protecting the public’s interest in access to the courts, we must remain mindful of the parties’ right to access those same courts upon terms which will not unduly harm their competitive interest.” *Apple Inc. v. Samsung Elecs. Co., Ltd.*, 727 F.3d 1214, 1228–29 (Fed. Cir. 2013). Records attached to motions that are “not related, or only tangentially related, to the merits of a case” therefore are not subject to the strong presumption of access. *Ctr. for Auto Safety*, 809 F.3d at 1099; *see also Kamakana*, 447 F.3d at 1179 (“[T]he public has less of a need for access to court records attached only to non-dispositive motions because those documents are often unrelated, or only tangentially related, to the underlying cause of action.”). Parties moving to seal the documents attached to such motions must meet the lower “good cause” standard of Rule 26(c). *Kamakana*, 447 F.3d at 1179 (internal quotations and citations omitted). This standard requires a “particularized showing,” *id.*, that “specific prejudice or harm will result” if the information is disclosed. *Phillips ex rel. Estates of Byrd v. Gen. Motors Corp.*, 307 F.3d 1206, 1210–11 (9th Cir. 2002); *see Fed. R. Civ. P. 26(c)*. “Broad allegations of harm, unsubstantiated by specific examples of articulated reasoning” will not suffice. *Beckman Indus., Inc. v. Int’l Ins. Co.*, 966 F.2d 470, 476 (9th Cir. 1992). A protective order sealing the documents during discovery may reflect the court’s previous determination that good cause exists to keep the documents sealed, *see Kamakana*, 447 F.3d at 1179–80, but a blanket protective order that allows the parties to designate confidential documents does not provide sufficient judicial scrutiny to determine whether each particular document should remain sealed. *See Civ. L.R. 79-5(d)(1)(A)* (“Reference to a stipulation or protective order that allows a party to designate certain documents as confidential is not sufficient to establish that a document, or portions thereof, are sealable.”).

In addition to making particularized showings of good cause, parties moving to seal documents must comply with the procedures established by Civ. L.R. 79-5. Pursuant to Civ. L.R. 79-5(b), a sealing order is appropriate only upon a request that establishes the document is “sealable,” or “privileged or protectable as a trade secret or otherwise entitled to protection under the law.” “The request must be narrowly tailored to seek sealing only of sealable material, and must conform with Civil L.R. 79-5(d).” Civ. L.R. 79-5(b). In part, Civ. L.R. 79-5(d) requires the

submitting party to attach a “proposed order that is narrowly tailored to seal only the sealable material” which “lists in table format each document or portion thereof that is sought to be sealed,” Civ. L.R. 79-5(d)(1)(b), and an “unredacted version of the document” that indicates “by highlighting or other clear method, the portions of the document that have been omitted from the redacted version.” Civ. L.R. 79-5(d)(1)(d). “Within 4 days of the filing of the Administrative Motion to File Under Seal, the Designating Party must file a declaration as required by subsection 79-5(d)(1)(A) establishing that all of the designated material is sealable.” Civ. L.R. 79-5(e)(1).

II. DISCUSSION

The Court has reviewed the parties’ sealing motions and the declarations of the designating parties submitted in support thereof. The Court’s rulings on the sealing requests are set forth in the tables below. Where the designating party has requested sealing, the Court finds that the parties have articulated compelling reasons to seal certain portions of the submitted documents and the proposed redactions are generally narrowly tailored.

A. ECF 299, Sealing Motion Related to SonicWall’s Motion to Strike

ECF or Exh. No.	Document	Ruling	Reasoning
ECF 300	Defendant SonicWall Inc.’s Motion to Strike New Theories in Finjan’s Expert Reports	GRANTED as to highlighted portions at: Page 2, lines 3-9, 11-12, 14-15; Page 3, lines 16-18, 20-24, 26; Page 4, lines 11, 18-20; Page 5, lines 13-14, 20-24; Page 6, lines 20-26; Page 10, lines 21-23.	The highlighted portions of this document reflect information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” or “Highly Confidential – Attorney’s Eyes Only – Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or

			operation of SonicWall's proprietary products. <i>See</i> Declaration of Nicole E. Grigg in Support of Administrative Motion to File Documents Under Seal ("Grigg Declaration") ¶¶ 2-5.
Ex. A	Excerpts from Finjan's Third Supplemental Infringement Contentions – Appendix G-2	GRANTED as to entire document.	This document reflects information that SonicWall has designated as "Highly Confidential – Attorneys' Eyes Only" and "Highly Confidential – Attorneys' Eyes Only - Source Code" pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall's proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. B	Excerpts from Finjan's Third Supplemental Infringement Contentions – Appendix G-3	GRANTED as to entire document.	This document reflects information that SonicWall has designated as "Highly Confidential – Attorneys' Eyes Only" and "Highly Confidential – Attorneys' Eyes Only - Source Code" pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it concerns the

			identification, organization, and or operation of SonicWall's proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. C	Excerpts from Finjan's Third Supplemental Infringement Contentions – Appendix G-4	GRANTED as to entire document.	This document reflects information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only - Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall's proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. D	10-2-2020 Email from J. Wolff to R. McGrath	GRANTED as to entire document.	The highlighted portions of this document reflect information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall's proprietary

			products. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. E	Excerpts from the EXPERT REPORT OF DR. NENAD MEDVIDOVIĆ REGARDING INFRINGEMENT BY SONICWALL, INC. OF PATENT NOS. 8,225,408; 7,975,305; AND 8,141,154	GRANTED as to entire document.	This document reflects information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only - Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. F	Excerpts from Finjan’s Third Supplemental Infringement Contentions – Appendix E-2	GRANTED as to entire document.	This document reflects information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only - Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products, including its source code. <i>See</i> Grigg

			Declaration ¶¶ 2-5.
Ex. G	Excerpts from Finjan's Third Supplemental Infringement Contentions – Appendix D-1	GRANTED as to entire document.	This document reflects information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only - Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. H	Excerpts from Finjan's Third Supplemental Infringement Contentions – Appendix D-2	GRANTED as to entire document.	This document reflects information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only - Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.

1	Ex. I	Excerpts from Finjan's Third Supplemental Infringement Contentions – Appendix D-3	GRANTED as to entire document.	This document reflects information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only - Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.
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14	Ex. J	Excerpts from Finjan's Third Supplemental Infringement Contentions – Appendix D-4	GRANTED as to entire document.	This document reflects information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only - Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.
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28	Ex. K	Excerpts from the EXPERT REPORT OF	GRANTED as to entire	This document reflects

	MICHAEL MITZENMACHER, PH.D. REGARDING INFRINGEMENT BY SONICWALL, INC. OF PATENT NOS. 6,804,780; 6,965,968; AND 7,613,926	document.	information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only - Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. L	Excerpts from Finjan’s Fourth Supplemental Infringement Contentions – Appendix H-2	GRANTED as to entire document.	This document reflects information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only - Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. M	Excerpts from Finjan’s Fourth Supplemental Infringement	GRANTED as to entire document.	This document reflects information that SonicWall has

	Contentions – Appendix H-4		designated as “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only - Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. O	07-23-2020 Email from J. Hannah to D. Dotson (5:19 P.M.)	GRANTED as to highlighted portion at: Page 2.	The highlighted portions of this document reflect information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. P	07-24-2020 Email from J. Hannah to D. Dotson (8:20 P.M.)	GRANTED as to highlighted portions at: Page 2 (graphic); Page 4.	The highlighted portions of this document reflect information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only”

			pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall's proprietary products. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. R	07-13-2020 Email from D. Dotson to J. Hannah (10:08 A.M.)	GRANTED as to highlighted portion at: Page 1.	The highlighted portions of this document reflect information that SonicWall has designated as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall's proprietary products. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. S	07-23-2020 Email from D. Dotson and J. Hannah (5:21 P.M.)	GRANTED as to highlighted portion at: Page 2.	The highlighted portions of this document reflect information that SonicWall has designated as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it

			concerns the identification, organization, and or operation of SonicWall's proprietary products. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. T	07-24-2020 Email from D. Dotson to J. Hannah (3:43 P.M.)	GRANTED as to highlighted portions at: Page 2 (graphic); Page 3; Page 4.	The highlighted portions of this document reflect information that SonicWall has designated as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall's proprietary products. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. U	07-24-2020 Email from J. Hannah to D. Dotson (5:48 P.M.)	GRANTED as to highlighted portions at: Page 2 (graphic); Page 4.	The highlighted portions of this document reflect information that SonicWall has designated as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall's proprietary products. <i>See</i> Grigg Declaration ¶¶ 2-5.

1	Ex. V	07-23-2020 Email from D. Dotson to J. Hannah (3:12 P.M.)	GRANTED as to highlighted portion at page 2.	The highlighted portions of this document reflect information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products. <i>See</i> Grigg Declaration ¶¶ 2-5.
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13	Ex. X	Excerpts from Finjan’s Third Supplemental Infringement Contentions – Appendix H-1	GRANTED as to entire document.	This document reflects information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only - Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.
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27	Ex. Y	Excerpts from Finjan’s Third Supplemental Infringement Contentions –	GRANTED as to entire document.	This document reflects information that SonicWall has designated as “Highly
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	Appendix H-5		Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only - Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.
Ex. Z	Excerpts from the EXPERT REPORT OF DR. ERIC COLE REGARDING TECHNOLOGY TUTORIAL AND INFRINGEMENT BY SONICWALL, INC. OF PATENT NOS. 6,154,844; 7,058,822; 7,647,633; AND 8,677,494	GRANTED as to entire document.	This document reflects information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only - Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.

B. ECF 314, Sealing Motion Related to Finjan’s Opposition to SonicWall’s Motion to Strike

ECF or Exh. No.	Document	Ruling	Reasoning
ECF 313	Finjan’s Opposition to SonicWall’s Motion to Strike Finjan’s Expert Reports	GRANTED as to highlighted portions at: page 2, lines 12, 20-25; page 3, lines 1-7, 11-13; page 4, lines 14-21, 23-26; page 5, lines 6-12, 14; page 6, lines 3-10; page 7, lines 1-2, 5, 16-17; page 8, lines 6-7, 13-17, 21-22; page 9, lines 8, 10-18, 20-21, 26-27; page 10, lines 1-3, 7-8, 17-20.	The highlighted portions of this document reflect information that SonicWall has designated as “Highly Confidential –Attorneys’ Eyes Only” or “Highly Confidential – Attorneys’ Eyes Only – Source Code” pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall’s accused products could be potentially discerned. <i>See</i> Declaration of K. Nicole Williams in Support of Administrative Motion to File Documents Under Seal (“Williams Sealing Decl.”) ¶ 3. Specifically, the identified passages include references to SonicWall’s source code and technical specifications as well as Finjan’s expert reports and infringement contentions, all of which contain information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” or “Highly Confidential – Attorneys’ Eyes Only – Source Code” pursuant to the Protective Order. <i>See</i> Declaration of Nicole E. Grigg In Support of Plaintiff Finjan, Inc.’s Administrative Motion to File Documents

			Under Seal (“Grigg Declaration”), ECF 316 ¶ 3.
Exh. B	Excerpts from Appendix G-2 to Finjan’s Third Supplemental Disclosure of Asserted Claims and Infringement Contentions and Document Production Pursuant to Patent L.R. 3-1 and 3-2, dated December 11, 2019 (“Third Supplemental Infringement Contentions”)	GRANTED as to entire document.	<p>This document reflects information SonicWall has designated “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only – Source Code” pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall’s accused products could be potentially discerned. <i>See</i> Williams Sealing Decl. ¶ 4.</p> <p>Specifically, Exhibit B contains excerpts from Finjan’s expert reports or infringement contentions which cite to and quote SonicWall’s confidential technical information that SonicWall has designated as “Confidential – Attorneys’ Eyes Only” and “Confidential – Attorneys’ Eyes only – Source Code” pursuant to the Protective Order. <i>See</i> Grigg Declaration ¶ 3.</p>
Exh. C	Excerpts from the Expert Report of Dr. Nenad Medvidovic Regarding Infringement by SonicWall Inc. of Patent Nos. 8,225,408; 7,975,305; and 8,141,154, dated September 3, 2020	GRANTED as to entire document.	This document reflects information SonicWall has designated “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only – Source Code” pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall’s accused products could be potentially discerned. <i>See</i> Williams Sealing Decl. ¶ 4.

			Specifically, Exhibit C contains excerpts from Finjan's expert reports or infringement contentions which cite to and quote SonicWall's confidential technical information that SonicWall has designated as "Confidential – Attorneys' Eyes Only" and "Confidential – Attorneys' Eyes only – Source Code" pursuant to the Protective Order. <i>See</i> Grigg Declaration ¶ 3.
Exh. D	Excerpts from Appendix G-4 to Finjan's Third Supplemental Disclosure Infringement Contentions, dated December 11, 2019	GRANTED as to entire document.	<p>This document reflects information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" and "Highly Confidential – Attorneys' Eyes Only – Source Code" pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall's accused products could be potentially discerned. <i>See</i> Williams Sealing Decl. ¶ 4.</p> <p>Specifically, Exhibit D contains excerpts from Finjan's expert reports or infringement contentions which cite to and quote SonicWall's confidential technical information that SonicWall has designated as "Confidential – Attorneys' Eyes Only" and "Confidential – Attorneys' Eyes only – Source Code" pursuant to the Protective Order. <i>See</i> Grigg Declaration ¶ 3.</p>
Exh. E	Excerpts from	GRANTED as to	This document reflects

1		Appendix G-3 to Finjan's Third Supplemental Disclosure Infringement Contentions, dated December 11, 2019	entire document.	information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" and "Highly Confidential – Attorneys' Eyes Only – Source Code" pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall's accused products could be potentially discerned. <i>See</i> Williams Sealing Decl. ¶ 4.
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18	Exh. F	Excerpts from Appendix G-2 to Finjan's First Supplemental Disclosure of Asserted Claims and Infringement Contentions and Document Production Pursuant to Patent L.R. 3-1 and 3-2, dated November 9, 2018 ("First Supplemental Infringement Contentions")	GRANTED as to entire document.	This document reflects information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall's accused products could be potentially discerned. <i>See</i> Williams Sealing Decl. ¶ 5.
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			SonicWall's confidential technical information that SonicWall has designated as "Confidential – Attorneys' Eyes Only" and "Confidential – Attorneys' Eyes only – Source Code" pursuant to the Protective Order. <i>See</i> Grigg Declaration ¶ 3.
Exh. G	Excerpts from Appendix E-2 to Finjan's Third Supplemental Disclosure Infringement Contentions, dated December 11, 2019	GRANTED as to entire document.	<p>This document reflects information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" and "Highly Confidential – Attorneys' Eyes Only – Source Code" pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall's accused products could be potentially discerned. <i>See</i> Williams Sealing Decl. ¶ 4.</p> <p>Specifically, Exhibit G contains excerpts from Finjan's expert reports or infringement contentions which cite to and quote SonicWall's confidential technical information that SonicWall has designated as "Confidential – Attorneys' Eyes Only" and "Confidential – Attorneys' Eyes only – Source Code" pursuant to the Protective Order. <i>See</i> Grigg Declaration ¶ 3.</p>
Exh. I	Excerpts from Appendix D-2 to Finjan's First Supplemental Infringement Contentions, dated November 9, 2018	GRANTED as to entire document.	This document reflects information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order, and from which confidential

			<p>information regarding SonicWall's accused products could be potentially discerned. <i>See</i> Williams Sealing Decl. ¶ 5.</p> <p>Specifically, Exhibit I contains excerpts from Finjan's expert reports or infringement contentions which cite to and quote SonicWall's confidential technical information that SonicWall has designated as "Confidential – Attorneys' Eyes Only" and "Confidential – Attorneys' Eyes only – Source Code" pursuant to the Protective Order. <i>See</i> Grigg Declaration ¶ 3.</p>
Exh. J	Excerpts from Appendix D-3 to Finjan's Second Supplemental Disclosure of Asserted Claims and Infringement Contentions and Document Production Pursuant to Patent L.R. 3-1 and 3-2, dated May 31, 2019 ("Second Supplemental Infringement Contentions")	GRANTED as to entire document.	<p>This document reflects information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" and "Highly Confidential – Attorneys' Eyes Only – Source Code" pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall's accused products could be potentially discerned. <i>See</i> Williams Sealing Decl. ¶ 4.</p> <p>Specifically, Exhibit J contains excerpts from Finjan's expert reports or infringement contentions which cite to and quote SonicWall's confidential technical information that SonicWall has designated as "Confidential – Attorneys' Eyes Only" and "Confidential – Attorneys'</p>

			Eyes only – Source Code” pursuant to the Protective Order. <i>See</i> Grigg Declaration ¶ 3.
Exh. K	Excerpts from Appendix D-3 to Finjan’s Third Supplemental Disclosure Infringement Contentions, dated December 11, 2019	GRANTED as to entire document.	<p>This document reflects information SonicWall has designated “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only – Source Code” pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall’s accused products could be potentially discerned. <i>See</i> Williams Sealing Decl. ¶ 4.</p> <p>Specifically, Exhibit K contains excerpts from Finjan’s expert reports or infringement contentions which cite to and quote SonicWall’s confidential technical information that SonicWall has designated as “Confidential – Attorneys’ Eyes Only” and “Confidential – Attorneys’ Eyes only – Source Code” pursuant to the Protective Order. <i>See</i> Grigg Declaration ¶ 3.</p>
Exh. L	Excerpts from the Expert Report of Dr. Michael Mitzenmacher Regarding Infringement by SonicWall Inc. of Patent Nos. 6,804,780; 6,965,968; and 7,613,926, dated September 3, 2020	GRANTED as to entire document.	This document reflects information SonicWall has designated “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only – Source Code” pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall’s accused products could be

			<p>potentially discerned. <i>See</i> Williams Sealing Decl. ¶ 4.</p> <p>Specifically, Exhibit L contains excerpts from Finjan’s expert reports or infringement contentions which cite to and quote SonicWall’s confidential technical information that SonicWall has designated as “Confidential – Attorneys’ Eyes Only” and “Confidential – Attorneys’ Eyes only – Source Code” pursuant to the Protective Order. <i>See</i> Grigg Declaration ¶ 3.</p>
Exh. M	Excerpts from Appendix H-1 to Finjan’s Third Supplemental Disclosure Infringement Contentions, dated December 11, 2019	GRANTED as to entire document.	<p>This document reflects information SonicWall has designated “Highly Confidential – Attorneys’ Eyes Only” and “Highly Confidential – Attorneys’ Eyes Only – Source Code” pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall’s accused products could be potentially discerned. <i>See</i> Williams Sealing Decl. ¶ 4.</p> <p>Specifically, Exhibit M contains excerpts from Finjan’s expert reports or infringement contentions which cite to and quote SonicWall’s confidential technical information that SonicWall has designated as “Confidential – Attorneys’ Eyes Only” and “Confidential – Attorneys’ Eyes only – Source Code” pursuant to the Protective Order. <i>See</i> Grigg</p>

			Declaration ¶ 3.
Exh. N	Excerpts from Appendix H-5 to Finjan's Third Supplemental Disclosure Infringement Contentions, dated December 11, 2019	GRANTED as to entire document.	<p>This document reflects information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" and "Highly Confidential – Attorneys' Eyes Only – Source Code" pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall's accused products could be potentially discerned. <i>See</i> Williams Sealing Decl. ¶ 4.</p> <p>Specifically, Exhibit N contains excerpts from Finjan's expert reports or infringement contentions which cite to and quote SonicWall's confidential technical information that SonicWall has designated as "Confidential – Attorneys' Eyes Only" and "Confidential – Attorneys' Eyes only – Source Code" pursuant to the Protective Order. <i>See</i> Grigg Declaration ¶ 3.</p>
Exh. O	Excerpts from the Expert Report of Dr. Deforest McDuff Regarding Damages dated September 4, 2020	GRANTED as to entire document.	<p>This document reflects information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall's accused products could be potentially discerned. <i>See</i> Williams Sealing Decl. ¶ 5.</p> <p>Specifically, Exhibit O contains excerpts from Finjan's expert reports or</p>

			infringement contentions which cite to and quote SonicWall's confidential technical information that SonicWall has designated as "Confidential – Attorneys' Eyes Only" and "Confidential – Attorneys' Eyes only – Source Code" pursuant to the Protective Order. <i>See</i> Grigg Declaration ¶ 3.
Ex. P	Excerpts from a document entitled, "SonicWall Threat Research Telemetry Database" produced beginning at SonicWall-Finjan_00519307	GRANTED as to entire document.	<p>This document reflects information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall's accused products could be potentially discerned. <i>See</i> Williams Sealing Decl. ¶ 4.</p> <p>Specifically, Exhibit P is a technical specification that contains SonicWall's confidential technical information that SonicWall designated as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. <i>See</i> Grigg Declaration ¶ 3.</p>

C. ECF 331, Sealing Motion Related to SonicWall's Reply in Support of its Motion to Strike

ECF or Exh. No.	Document	Ruling	Reasoning
ECF 332	Defendant SonicWall, Inc's Reply in Support of its Motion to Strike	GRANTED as to highlighted portions at: 2:11-13, 24, 27-28; 3:2-3, 9, 12,	The highlighted portions of this document reflect information that SonicWall has designated as "Highly Confidential – Attorneys' Eyes Only" or "Highly

ECF or Exh. No.	Document	Ruling	Reasoning
		18; 4:9; 5:21, 23.	Confidential – Attorney’s Eyes Only – Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products. <i>See</i> Declaration of Nicole E. Grigg in Support of Administrative Motion to File Documents Under Seal (“Grigg Declaration”), ¶¶ 2-5.
2 to Gunther Declaration	Appendix D-1 (Gateway) from Finjan’s second supplemental infringement contentions served May 31, 2019	GRANTED as to entire document.	This document reflects information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” or “Highly Confidential – Attorney’s Eyes Only – Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products. <i>See</i> Grigg Declaration ¶¶ 2-5.
3 to Gunther Declaration	Appendix D-2 (Gateway + Capture ATP) from Finjan’s second supplemental infringement contentions served May 31, 2019	GRANTED as to entire document.	This document reflects information that SonicWall has designated as “Highly Confidential – Attorneys’ Eyes Only” or “Highly Confidential – Attorney’s Eyes Only – Source Code” pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall’s disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall’s proprietary products. <i>See</i> Grigg

ECF or Exh. No.	Document	Ruling	Reasoning
			Declaration ¶¶ 2-5.
4 to Gunther Declaration	Appendix D-3 (Capture ATP) from Finjan's second supplemental infringement contentions served May 31, 2019	GRANTED as to entire document.	This document reflects information that SonicWall has designated as "Highly Confidential – Attorneys' Eyes Only" or "Highly Confidential – Attorney's Eyes Only – Source Code" pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall's proprietary products. <i>See</i> Grigg Declaration ¶¶ 2-5.
5 to Gunther Declaration	Appendix D-4 (Email + Capture ATP) from Finjan's second supplemental infringement contentions served May 31, 2019.	GRANTED as to entire document.	This document reflects information that SonicWall has designated as "Highly Confidential – Attorneys' Eyes Only" or "Highly Confidential – Attorney's Eyes Only – Source Code" pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall's proprietary products. <i>See</i> Grigg Declaration ¶¶ 2-5.
6 to Gunther Declaration	Appendix D-1 (Gateway) from Finjan's third supplemental infringement contentions served December 11, 2019	GRANTED as to entire document.	This document reflects information that SonicWall has designated as "Highly Confidential – Attorneys' Eyes Only" or "Highly Confidential – Attorney's Eyes Only – Source Code" pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it concerns the

ECF or Exh. No.	Document	Ruling	Reasoning
			identification, organization, and or operation of SonicWall's proprietary products. <i>See</i> Grigg Declaration ¶¶ 2-5.
7 to Gunther Declaration	Appendix D-2 (Gateway + Capture ATP) from Finjan's third supplemental infringement contentions served December 11, 2019	GRANTED as to entire document.	This document reflects information that SonicWall has designated as "Highly Confidential – Attorneys' Eyes Only" or "Highly Confidential – Attorney's Eyes Only – Source Code" pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall's proprietary products. <i>See</i> Grigg Declaration ¶¶ 2-5.
8 to Gunther Declaration	Appendix D-3 (Capture ATP) from Finjan's third supplemental infringement contentions served December 11, 2019	GRANTED as to entire document.	This document reflects information that SonicWall has designated as "Highly Confidential – Attorneys' Eyes Only" or "Highly Confidential – Attorney's Eyes Only – Source Code" pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall's proprietary products. <i>See</i> Grigg Declaration ¶¶ 2-5.
9 to Gunther Declaration	Appendix D-4 (Email + Capture ATP) from Finjan's third supplemental infringement contentions served December 11, 2019	GRANTED as to entire document.	This document reflects information that SonicWall has designated as "Highly Confidential – Attorneys' Eyes Only" or "Highly Confidential – Attorney's Eyes Only – Source Code" pursuant to the Stipulated Protective Order. If filed publicly, this confidential

ECF or Exh. No.	Document	Ruling	Reasoning
			information could be used to SonicWall's disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall's proprietary products. <i>See</i> Grigg Declaration ¶¶ 2-5.
10 to Gunther Declaration	Excerpts from the October 22, 2020 deposition transcript of Dr. Eric Cole, Ph.D	GRANTED as to entire document.	This document contains testimony that SonicWall has designated as "Highly Confidential – Attorneys' Eyes Only" or "Highly Confidential – Attorneys' Eyes Only - Source Code" pursuant to the Stipulated Protective Order. If filed publicly, this confidential information could be used to SonicWall's disadvantage by competitors as it concerns the identification, organization, and or operation of SonicWall's proprietary products, including its source code. <i>See</i> Grigg Declaration ¶¶ 2-5.

For the foregoing reasons:

- (1) SonicWall's Administrative Motion to File Under Seal at ECF 299 is GRANTED;
- (2) Finjan's Administrative Motion to File Under Seal at ECF 314 is GRANTED; and
- (3) SonicWall's Administrative Motion to File Under Seal at ECF 331 is GRANTED.

IT IS SO ORDERED.

Dated: March 9, 2021



BETH LABSON FREEMAN
United States District Judge